

**Notice of Allowability**

Application No.

09/650,200

Examiner

Andy S. Rao

Applicant(s)

VAN ZON, CORNELIUS

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2613

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Appeal Brief filed on 5/13/05.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ The drawings filed on 29 August 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

ANDY RAO  
PRIMARY EXAMINER

***Allowable Subject Matter***

1. Claims 1-21 are allowed.

Independent claim 1 recites "...an apparatus in a receiver that is configured for receiving and decoding an incoming scalable video bit stream that has been encoded by a transmitter for transmission externally from the transmitter and further configured for generating a baseband video signal, said apparatus being configured for controlling a processing load of said scalable video decoder, said apparatus comprising: an analyzer circuit configured for measuring, from the received bit stream, at least one characteristic of said received bit stream and generating at least one video parameter associated with said at least one characteristic; and a processor load controller configured for receiving said at least one video parameter and, in response, controlling a level of decoding of said received bit stream performed by said scalable video decoder..."

which are features that are not anticipated nor obvious over the art of record. Independent claim 9 recites "... a video receiver comprising: a buffer configured for receiving an incoming scalable video bit stream that has been transmitted externally from a video transmitter and for storing the received bit stream' in communicative connection with the buffer, a scalable video decoder configured for decoding the bit stream that has been stored and generating a baseband video signal, said scalable video decoder comprising: an apparatus configured for controlling a processing load of said scalable video decoder comprising: an analyzer circuit configured for measuring at least one characteristic of said bit stream that has been stored and generating at least one video parameter associated with said at least one characteristic; and a processor load controller configured for receiving said at least one video parameter and, in response, controlling a level of decoding performed by said scalable video decoder on said bit stream that has been

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stored; and coupled to said scalable video decoder, a display configured for displaying said baseband video signal...” which are features that are not anticipated nor obvious over the art of record. Independent claim 17 recites “a method for controlling a processing load of a scalable video decoder incorporated within a receiver that receives an incoming scalable video bit stream from a transmitter configured for encoding to form said incoming scalable video bit stream and further configured for transmitting said incoming scalable video bit stream, said scalable video decoder being configured for decoding said incoming scalable video bit stream and generating a baseband video signal, said method comprising the steps of: measuring, from the received bit stream, at least one characteristic of said received bit stream', generating at least one video parameter associated with the at least one characteristic; in response to a value of the at least one video parameter, controlling a level of decoding of the received bit stream performed by the scalable video decoder...” which are features that are not anticipated nor obvious over the art of record. Dependent claims 2-8, 10-16, and 18-21 allowed for the reasons concerning the independent claims.

### ***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad S. Dastouri can be reached on (571)-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

asr  
July 22, 2005

Andy S. Rao  
Primary Examiner  
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~~ANDY RAO~~  
~~PRIMARY EXAMINER~~